

APPEAL NO. 022768  
FILED DECEMBER 17, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on October 14, 2002. The hearing officer determined that the appellant's (claimant) compensable injury sustained on \_\_\_\_\_, did not include the lumbar spine MRI findings of April 23, 2001, and that the claimant did have disability from January 12 through June 24, 2000, resulting from her compensable injury of \_\_\_\_\_. The claimant appeals the extent-of-injury determination and the respondent (carrier) replies, urging affirmance. The disability issue was not appealed and has become final. Section 410.169.

DECISION

Affirmed.

The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given to the evidence. Section 410.165(a). It is for the hearing officer to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true of medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286, 290 (Tex. App.-Houston [14th Dist.] 1984, no writ). The Appeals Panel will not disturb the challenged factual finding of a hearing officer unless it is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust, and we do not find it to be so in this case. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **ATLANTIC MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**NICHOLAS PETERS  
12801 NORTH CENTRAL EXPRESSWAY, SUITE 100  
DALLAS, TEXAS 75243.**

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Michael B. McShane  
Appeals Panel  
Manager/Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Veronica Lopez  
Appeals Judge